

**MARSHALL L. GRAGG,**

**Plaintiff,**

**v.**

**SCHINDLER ELEVATOR  
CORPORATION, RAYMOND T.  
FALDUTI, and 101  
INDEPENDENCE CENTER LLC,**

**Defendants.**

Upon motion to remand by Plaintiff Marshall L. Gragg, pursuant to 28 U.S.C. § 1447(c), and consent of Defendants Schindler Elevator Corporation, Raymond T. Falduti, and 101 Independence Center LLC to the motion, the Court determines that remand of the Action to the General Court of Justice, Superior Court Division, Mecklenburg County, North Carolina is appropriate without the necessity of ruling on the arguments made by the Plaintiff in support of his Motion to Remand. In conjunction with this Consent Order, the Plaintiff withdraws his request for costs and attorneys' fees based on the Plaintiff's claim that removal was improper and none are, therefore, awarded.

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Remand, (Doc. No. 10), is **GRANTED**;
2. that the cause is remanded to the General Court of Justice, Superior Court Division, Mecklenburg County, North Carolina for further proceedings; and
3. the Clerk of Court is directed to close this case.

Signed: August 30, 2018

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

